

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Labour Employment Training & Factories Department – Disciplinary action on allegations of misconduct against 13 officials of Labour Department who turned hostile before the Tribunal for Disciplinary Proceedings - To surprise check on the office of the COL on 14.03.2000 – Chargememo issued to Sri Yousufuddin alias Sri Y.R. Babu (Retd.) – O.A.No. 6013/2007 filed – Orders of APAT quashing the chargememo and directed to release of pension and gratuity and other retirement benefits alongwith 8% interest amounting to Rs. 1,56,501 – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMNT

G.O.Rt.No. 792

Dated :02.07.2012.
Read the following

1. Charge memo. Vide proc. R1/5477/2000 by COL dt 24.11.2003.
2. G.O.Rt.No. 1713, LET&F Department dated 20.09.2004.
3. O.A.No. 6013/2007 in Hon'ble APAT.
4. APAT Judgement in OA No. 6013/2007 dated 16.06.2010.
5. COL Lr No. DD/7343/2010 dt 05.10.10 addressed to Account General to AP
6. Lr No. 23490/2011-1, dt 25.01.2011 Accountant Genral AP Hyd.
7. Lr. DD/7345/2010 dt. 14.09.2011 to the Govt.
8. Govt. Memo.No. 419/Lab.IV/A1/2003 dt 18.11.2011.
9. C.A.No. 455/2012 in OA No. 6013/2007 in APAT
10. From Govt. Pleader letter No. 23.05.2012.

ORDER:

In the reference 1st read above, a Charge Memo was issued to Sri Yousufuddin alias Y.R. Babu, who turned hostile alongwith 12 others before the Tribunal for Disciplinary Proceedings in the case relating to surprise check on the office of Commissioner of Labour on 14.03.2000 by Anti Corruption Bureau Officials.

2. In the reference 2nd read above, Sri Y.R.Babu, Assistant Commissioner of Labour was allowed to retire from service on attaining the age of superannuation on 30.06.2004, pending enquiry. Government sanctioned provisional pension 75% of full pension to Sri Y.R. Babu

3. In the reference 3rd read above, Sri Y.R.Babu, Assistant Commissioner of Labour, (Retd) filed O.A.No. 6013/2007 before the Hon'ble Andhra Pradesh Administrative Tribunal against the disciplinary proceedings of Commissioner of Labour.

4. In the reference 4th read above, Andhra Pradesh Administrative Tribunal was made the following order :

"Therefore, the O.A. is allowed. The departmental proceedings initiated against the applicant in procgs. No. R1/5477/2000, dt. 24.12.2003 quashed for unexplained and inordinate delay. The respondents are directed to pay full pension, gratuity and other retirement benefits, which are not paid to the applicant with interest @ 8% per annum from the date of retirement till the date of payment. This order is to be implemented within 8 (eight) weeks from the date of receipt of this order.

5. Based on the orders of Andhra Pradesh Administrative Tribunal, the Commissioner of Labour in the reference 5th read above, has forwarded the pension papers to the Accountant General, Andhra Pradesh, Hyderabad requesting to sanction full pension and gratuity. Accordingly in the reference 6th read above, the Accountant General, Andhra Pradesh Sanctioned remaining 25% of pension and gratuity.

6. In the reference 7th read above, the Commissioner of Labour has requested the Govt. to issue necessary orders for payment of 8% interest on the following pensionary benefits from the date of retirement. In the reference 8th read above, the Government directed the Commissioner of Labour to file appeal in the High Court of Andhra Pradesh against the orders of Andhra Pradesh Administrative Tribunal in O.A.No. 6013/2007 filed by Sri Y.R. Babu, Assistant Commissioner of Labour (Retd.) In the reference 9th read above, Sri Y.R.Babu, ACL (Retd.) filed C.A. No. 455/2012 in O.A.No. 6013/2007 to pay 8% interest in full pension and gratuity and other retirement benefits.

7. In the reference 10th read above, Government Pleader, High Court of Andhra Pradesh opined that this is a frail case to file Writ Petition in High Court of Andhra Pradesh.

8. Government after careful examination of the matter, and taking the material made available into consideration have decided to pay 8% interest to full pension/gratuity and other retirement benefits which amounts to Rs. 1,56,501/- to Sri Y.R. Babu, Assistant Commissioner of Labour, (Retd),

9. Accordingly, Government hereby direct to pay 8% interest to full pension / gratuity and other retirement benefits which amounts to Rs. 1,56,501/- to Sri Y.R. Babu, Assistant Commissioner of Labour (Retd), (Statement annexure)

10. The Commissioner of Labour, Hyderabad shall take further action in the matter immediately.

11. This order issues with the concurrence of Finance U.O.No. 15604/157/A1/pen-I/12 dated 19.06.12.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Y.R.Babu, Assistant Commissioner of Labour (Retd) thru Commissioner of Labour.
The Commissioner of Labour, Andhra Pradesh, Hyderabad.
The Government Pleader, Andhra Pradesh Administrative Tribunal , Hyderabad.
The Government Pleader, High Court of Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.

//Forwarded :: By Order//

SECTION OFFICER